

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
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MidFirst Bank

In Re:
Trina Herring,

Debtor.



Order Filed on July 14, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 14-11478-ABA

Adv. No.:


Hearing Date: 7/12/2016 @ 10:00 a.m.

Judge: Andrew B. Altenburg

ORDER RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: July 14, 2016



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Trina Herring

Case No: 14-11478-ABA

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 101 Warwick Road, Lawnside, NJ 08045, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Kimberly Wilson, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of July 1, 2016, principal and escrow payments of \$42,317.49 have become due since filing (not inclusive of any escrow shortage), broken down as follows:

- March 2014 – May 1, 2015: \$1,308.94 (14 payments)
- May 2015 – July 2015: \$1,495.19 (3 payments)
- August 2015 – July 2016: \$1,500.52 (12 payments)

It is further **ORDERED, ADJUDGED and DECREED** that since filing, Debtor has paid in \$34,898.94 through June 1, 2016; and

It is further **ORDERED, ADJUDGED and DECREED** Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for a total of \$7,418.55 through the payment due July 1, 2016; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor advanced \$7,214.61 and \$1,548.48 outside of the ordinary course for sewer liens on behalf of the Debtor, which amounts have been added to the arrears in the Amended Proof of Claim; and

It is further **ORDERED, ADJUDGED and DECREED** that to cure the arrears of \$7,418.55, Debtor shall make a lump sum payment of \$4,000.00 to Secured Creditor no later than July 15 ,2016 (payments remitted after June 1, 2016 will be applied to this lump sum); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,418.55 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume August 1, 2016, directly to Secured Creditor, MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that as of August 1, 2016, the post-petition payment amount shall be \$1,520.94, consisting of \$626.00 for principal and interest, and \$894.94 for escrow;

and

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Debtor: Trina Herring

Case No: 14-11478-ABA

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Trina D Herring
Debtor

Case No. 14-11478-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 14, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 16, 2016.

db +Trina D Herring, 435 Ellis Avenue, Lawnside, NJ 08045-1417

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 16, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 14, 2016 at the address(es) listed below:

David Vincent Mignardi on behalf of Creditor Bank of America, N.A. dmignardi@eckertseamans.com
Denise E. Carlon on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com,
dcarlon@zuckergoldberg.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Joshua I. Goldman on behalf of Creditor Midland Mortgage jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor MIDFIRST BANK jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kimberly A. Wilson on behalf of Debtor Trina D Herring wilson.schroedinger@comcast.net
TOTAL: 7